

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

- - -

IN RE: AUTOMOTIVE PARTS  
ANTITRUST LITIGATION

Case No. 12-2311

Hon. Marianne O. Battani

THIS RELATES TO:

In Re: Wire Harness	2:12-cv-00101
In Re: Instrument Panel clusters	2:12-cv-00201
In Re: Fuel Senders	2:12-cv-00301
In Re: Heater Control Panels	2:12-cv-00401
In Re: Alternators	2:12-cv-00701
In Re: Windshield Wipers systems	2:12-cv-00901
In Re: Starters	2:12-cv-01101
In Re: Ignition Coils	2:12-cv-01401
In Re: Fuel injection Systems	2:12-cv-02201
In Re: Power Window Motors	2:12-cv-02301
In Re: Air Conditioning Systems	2:12-cv-02701
In Re: Windshield Washer Systems	2:12-cv-02801
In Re: Spark Plugs	2:12-cv-03001
In Re: Oxygen Sensors	2:12-cv-03101

MOTION HEARINGS

BEFORE SPECIAL MASTER GENE ESSHAKI  
Theodore Levin United States Courthouse  
231 West Lafayette Boulevard  
Detroit, Michigan  
Friday, December 9, 2016

*To obtain a copy of this official transcript, contact:  
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1 compelled to follow Goodyear.

2 As a consequence, I must hold that request  
3 number 31 to the extent that it requests evidence of  
4 settlement negotiations between the defendants and the  
5 original equipment manufacturers will not be enforced, those  
6 discussions and the evidence concerning those discussions are  
7 barred. However, in my view the discussions that occurred at  
8 the initial meetings where the defendants disclosed to the  
9 original equipment manufacturers the existence of a  
10 conspiracy, the nature, the scope and the duration of this  
11 conspiracy, the parts that may have been involved in the  
12 conspiracy are not settlement negotiations, they are a  
13 prelude to settlement negotiations, they are disclosing the  
14 wrongful acts, and settlement negotiations occurred after  
15 that disclosure.

16 So to the extent that request 31 seeks information  
17 concerning the initial meetings where the disclosures of the  
18 conspiracy, the scope, the nature, the extent and the  
19 duration and the number of parts were involved or discussed  
20 they are not privileged. Additionally, I think even under  
21 Goodyear the final settlement agreements that may have been  
22 reached between the parties are not subject to settlement  
23 privilege, so to that extent I am denying in part and  
24 granting in part the plaintiffs' request to enforce rule  
25 number 31.